IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4170 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgement? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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CP SISODIYA

Versus

STATE OF GUJARAT

Appearance:

Mr.Y.N. Oza, with MR NIRZAR S DESAI for the Petitioner.

Mr.Joshi, Assistant GOVERNMENT PLEADER, for Respondent No. 1-3

CORAM : MR.JUSTICE P.B.MAJMUDAR

Date of decision: 17/07/2001

ORAL JUDGEMENT

The petitioner has challenged his suspension order at Annexure `A' on the ground that he had not organised certain prohibition raids. It is stated that since the petitioner has not taken appropriate action by oganising raid, he was negligent and on that ground, he

was suspended and his headquarter was changed at Kheda. The petitioner has challenged the said suspension order. Today, Mr.Joshi, learned AGP, states that the Director General of Police, by his order dated 7th July, 2001, has already cancelled the suspension order subject to the right of the Department to proceed departmentally against the petitioner. Learned AGP places on record a copy of the said order and submits that copy will be given to the other side.

In view of the aforesaid statement of Mr.Joshi, this petition which is filed only against suspension order, now is not required to be entertained.

Mr.Oza states that the petitioner could not have been transferred at such a distant place at Bhuj. However, the aforesaid issue is not before this Court as the petition is filed only against the suspension order. Since the suspension order has been cancelled, the petition has become infructuous and, therefore, the same is accordingly disposed of. Rule is discharged with no order as to costs.

17th July, 2001 (P.B. Majmudar, J.)

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(apj)